Case No.: PH

T-252 P.009/016

710076 (7790/236)

Serial No.: 10/055,421 Filed: January 22, 2002

Page 7

F-441

-- REMARKS --

In the Final Office Action, Examiner Choi objected to the drawings under 37 CFR § 1.83(a) for failing to show the features of pending claims 15 and 22. The Applicant has cancelled claims 15 and 22 herein. Withdrawal of the objection to the drawings is therefore respectfully requested.

Also in the Final Office Action, Examiner Choi objected to and rejected pending claims 13-31 on various grounds. The Applicant responds to each objection and rejection as subsequently recited herein:

A. Examiner Choi objected to pending claim 31 for reciting "wherein said a second homogenous"

The Applicant amended claim 31 to recite "wherein said second homogenous" as instructed by Examiner Choi. Withdrawal of the objection of pending claim 31 is therefore respectfully requested.

B. Examiner Choi rejected pending claims 13-31 under 35 U.S.C. \$103(a) as being unpatentable over U.S. Patent No. 5,161,880 to Azuma

The Applicant has thoroughly considered Examiner Choi's remarks concerning the patentability of claims 13-31 over Azuma. The Applicant has also thoroughly reread Azuma. The Applicant respectfully traverses the §103(a) rejection of pending claims 16, 21, and 27, because Azuma fails to disclose, teach or suggest "wherein a second chamber is further defined by a side wall including a light-transmitting material" as recited in claim 16, "wherein a first portion of said curtain is spaced from said carrier wall and a second portion of said curtain is affixed to said carrier wall" as recited in claim 21, and "wherein said first side wall and said second side wall both include a light-transmitting material" as recited in claim 27.

T-252 P.010/018

F-441

Case No.: PH

)10076 (7790/236) erial No : 10/055 421

Serial No.: 10/055,421 Filed: January 22, 2002

Page 8

Specifically, the Applicant respectfully asserts that Azuma teaches away from removing spacer 29 to define a second chamber, because Azuma is predicated on using spacer 29 for establishing and maintaining a pre-determined space between curtain 28 and plate 30. See, Azuma at column 4, lines 20-25. Furthermore, Azuma discloses adhesive tapes 31 and 32 for maintaining a proper alignment of components 26-30 as illustrated in FIG. 4, and Azuma fails to disclose, teach or suggest adhesive tapes 31 and 32 including light-transmitting material. See, Azuma at column 3, lines 50-63. Additionally, a side surface of curtain 28 is wholly affixed to carrier wall 27 as illustrated in FIG. 4 of Azuma, and Azuma fails to disclose, teach or suggest a portion of curtain 28 being affixed to carrier wall 27 and another portion of curtain 28 being spaced from carrier wall 27.

The Applicant has cancelled dependent claim 16 herein and amended independent claim 13 herein to recite "a second chamber defined by a light emission window, a curtain, and a light transmitting side wall". Please note that on page 10 of the amendment of April 1, 2003, the Applicant mistakenly stated "In particular, Azuma teach a second chamber and side walls including a light-transmitting material", when in fact the Applicant intended to state "In particular, Azuma fails to teach a second chamber and side walls including a light-transmitting material".

The Applicant has also amended claims 20 and 21 herein for reciting "wherein a first portion of said curtain is spaced from said carrier wall and a second portion of said curtain is affixed to said carrier wall" within independent claim 20. The Applicant therefore respectfully requests a withdrawal of the rejection of independent claims 13, 20 and 27 under 35 U.S.C. §103(a) as being unpatentable over Azuma.

Claims 14 and 17-19 depend from amended independent claim 13. Therefore, dependent claims 14 and 17-19 include all of the elements and limitations of amended independent claim 13. It is therefore respectfully submitted by the Applicant that dependent claims 14 and 17-19 are allowable over Azuma for at least the same reason as set forth herein with respect to amended independent claim 13 being allowable

914-332-0615 T-252

T-252 P.011/016 F-441 June 10, 2003

Case No.: PH: 110076 (7790/236)

Serial No.: 10/055,421 Filed: January 22, 2002

Page 9

over Azuma. Withdrawal of the rejection of dependent claims 14 and 17-19 under 35 U.S.C. §103(a) as being unpatentable over Azuma is therefore respectfully requested.

Claims 21 and 23-26 depend from amended independent claim 20. Therefore, dependent claims 21 and 23-26 include all of the elements and limitations of amended independent claim 20. It is therefore respectfully submitted by the Applicant that dependent claims 21 and 23-26 are allowable over Azuma for at least the same reason as set forth herein with respect to amended independent claim 20 being allowable over Azuma. Withdrawal of the rejection of dependent claims 21 and 23-26 under 35 U.S.C. §103(a) as being unpatentable over Azuma is therefore respectfully requested.

Claims 28-31 depend from independent claim 27. Therefore, dependent claims 28-31 include all of the elements and limitations of independent claim 27. It is therefore respectfully submitted by the Applicant that dependent claims 28-31 are allowable over Azuma for at least the same reason as set forth herein with respect to independent claim 27 being allowable over Azuma. Withdrawal of the rejection of dependent claims 28-31 under 35 U.S.C. §103(a) as being unpatentable over Azuma is therefore respectfully requested.

C. Examiner Choi rejected pending claims 13-31 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 2,330,935 to Tuck

The Applicant has thoroughly considered Examiner Choi's remarks concerning the patentability of claims 13-31 over *Tuck*. The Applicant has also thoroughly reread *Tuck*. The Applicant respectfully traverses the §103(a) rejection of pending claims 16, 21, and 27, because *Tuck* fails to disclose, teach or suggest "wherein a second chamber is further defined by a side wall including a light-transmitting material" as recited in claim 16, "wherein a first portion of said curtain is spaced from said carrier wall and a second portion of said curtain is affixed to said carrier wall" as recited in claim 21, and "wherein said first side wall and said second side wall both include a light-transmitting material" as recited in claim 27.

T-252 P.012/016

F-441

June 16, 2003

Case No.: PH

10076 (7790/236) Serial No.: 10/055,421

Filed: January 22, 2002

Page 10

Specifically, Tuck fails to disclose, teach or suggest the inclusion of lighttransmitting material in the side walls of housing 25 (FIG. 2) and housing 71 (FIG. 3). Moreover, the Applicant respectfully asserts that Tuck teaches away from the inclusion of light-transmitting material in the side walls of housing 25 and housing 71, because Tuck is predicated on using reflector 37 (FIG. 2) to focus a predetermined amount of light emitted from bulb 36 sequentially through plates 29 and 19 into a building and on using the reflector illustrated in FIG. 3 to focus a predetermined amount of light emitted from bulb 69 sequentially through plates 61 and 56 into a building. See, Tuck at column 3, lines 71-74. Furthermore, a light receiving side of plate 29 is wholly affixed to the carrier wall while the light exiting side of plate 29 is spaced from inner wall 28 to define a chamber as illustrated in FIG. 2 of Tuck, and a light receiving side of plate 61 is wholly affixed to the carrier wall 62 while the light exiting side of plate 61 is spaced from the inner wall to define a chamber as illustrated in FIG. 3 of Tuck. Tuck however fails to disclose, teach or suggest (1) a portion of the light receiving side of plate 29 being affixed to the carrier wall while another portion is spaced from the carrier wall and (2) a portion of the light receiving side of plate 61 being affixed to the carrier wall 62 while another portion is spaced from the carrier wall 62.

The Applicant has cancelled dependent claim 16 herein and amended independent claim 13 herein to recite "a second chamber defined by a light emission window, a curtain, and a light transmitting side wall". The Applicant has also amended claims 20 and 21 herein for reciting "wherein a first portion of said curtain is spaced from said carrier wall and a second portion of said curtain is affixed to said carrier wall" within independent claim 20. The Applicant therefore respectfully requests a withdrawal of the rejection of independent claims 13, 20 and 27 under 35 U.S.C. §103(a) as being unpatentable over Tuck.

۲.

Case No.: PH 210076 (7790/236)

Serial No.: 10/055,421 Filed: January 22, 2002

Page 11

Claims 14 and 17-19 depend from amended independent claim 13. Therefore, dependent claims 14 and 17-19 include all of the elements and limitations of amended independent claim 13. It is therefore respectfully submitted by the Applicant that dependent claims 14 and 17-19 are allowable over *Tuck* for at least the same reason as set forth herein with respect to amended independent claim 13 being allowable over *Tuck*. Withdrawal of the rejection of dependent claims 14 and 17-19 under 35 U.S.C. §103(a) as being unpatentable over *Tuck* is therefore respectfully requested.

Claims 21 and 23-26 depend from amended independent claim 20. Therefore, dependent claims 21 and 23-26 include all of the elements and limitations of amended independent claim 20. It is therefore respectfully submitted by the Applicant that dependent claims 21 and 23-26 are allowable over *Tuck* for at least the same reason as set forth herein with respect to amended independent claim 20 being allowable over *Tuck*. Withdrawal of the rejection of dependent claims 21 and 23-26 under 35 U.S.C. §103(a) as being unpatentable over *Tuck* is therefore respectfully requested.

Claims 28-31 depend from independent claim 27. Therefore, dependent claims 28-31 include all of the elements and limitations of independent claim 27. It is therefore respectfully submitted by the Applicant that dependent claims 28-31 are allowable over *Tuck* for at least the same reason as set forth herein with respect to independent claim 27 being allowable over *Tuck*. Withdrawal of the rejection of dependent claims 28-31 under 35 U.S.C. §103(a) as being unpatentable over *Tuck* is therefore respectfully requested.

D. Examiner Choi rejected pending claims 13-31 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,293,892 to Plummer

T-252 P.014/016

F-441

June 10, 2003

Case No.: PF)10076 (7790/236)

Serial No.: 10/055,421 Filed: January 22, 2002

Page 12

The Applicant has thoroughly considered Examiner Choi's remarks concerning the patentability of claims 13-31 over *Plummer*. The Applicant has also thoroughly reread *Plummer*. The Applicant respectfully traverses the §103(a) rejection of pending claims 16, 21, and 27, because *Plummer* fails to disclose, teach or suggest "wherein a second chamber is further defined by a side wall including a light-transmitting material" as recited in claim 16, "wherein a first portion of said curtain is spaced from said carrier wall and a second portion of said curtain is affixed to said carrier wall" as recited in claim 21, and "wherein said first side wall and said second side wall both include a light-transmitting material" as recited in claim 27.

Specifically, *Plummer* fails to disclose, teach or suggest the inclusion of zoom-lighting apparatus 10 as evidenced FIG. 8. Moreover, the Applicant respectfully asserts that *Plummer* teaches away from the inclusion of light-transmitting material zoom-lighting apparatus 10, because such an inclusion would impede *Plummer*'s objective of emitting a collimated light beam. See, *Plummer* at column 2, lines 53-60 and column 5, lines 26-40. Furthermore, *Plummer* discloses curtain 34, light emission window 36 and side wall of light control section 26 for defining the second chamber as illustrated in FIG. 2, and *Plummer* fails to disclose, teach a carrier wall in conjunction with light emission window 36 and side wall of light control section 26 for defining the second chamber.

The Applicant has cancelled dependent claim 16 herein and amended independent claim 13 herein to recite "a second chamber defined by a light emission window, a curtain, and a light transmitting side wall". The Applicant has also amended claims 20 and 21 herein for reciting "wherein a first portion of said curtain is spaced from said carrier wall and a second portion of said curtain is affixed to said carrier wall" within independent claim 20. The Applicant therefore respectfully requests a withdrawal of the rejection of independent claims 13, 20 and 27 under 35 U.S.C. §103(a) as being unpatentable over *Plummer*.

Case No.: PF

010076 (7790/236) Serial No.: 10/055,421

Filed: January 22, 2002 Page 13

Claims 14 and 17-19 depend from amended independent claim 13. Therefore, dependent claims 14 and 17-19 include all of the elements and limitations of amended independent claim 13. It is therefore respectfully submitted by the Applicant that dependent claims 14 and 17-19 are allowable over *Plummer* for at least the same reason as set forth herein with respect to amended independent claim 13 being allowable over *Plummer*. Withdrawal of the rejection of dependent claims 14 and 17-19 under 35 U.S.C. §103(a) as being unpatentable over *Plummer* is therefore respectfully requested.

Claims 21 and 23-26 depend from amended independent claim 20. Therefore, dependent claims 21 and 23-26 include all of the elements and limitations of amended independent claim 20. It is therefore respectfully submitted by the Applicant that dependent claims 21 and 23-26 are allowable over *Plummer* for at least the same reason as set forth herein with respect to amended independent claim 20 being allowable over *Plummer*. Withdrawal of the rejection of dependent claims 21 and 23-26 under 35 U.S.C. §103(a) as being unpatentable over *Plummer* is therefore respectfully requested.

Claims 28-31 depend from independent claim 27. Therefore, dependent claims 28-31 include all of the elements and limitations of independent claim 27. It is therefore respectfully submitted by the Applicant that dependent claims 28-31 are allowable over *Plummer* for at least the same reason as set forth herein with respect to independent claim 27 being allowable over *Plummer*. Withdrawal of the rejection of dependent claims 28-31 under 35 U.S.C. §103(a) as being unpatentable over *Plummer* is therefore respectfully requested.

T-252 P.016/016 June 16, 2003

ID F.

Case No.: PI

010076 (7790/236)

Serial No.: 10/055,421 Filed: January 22, 2002

Page 14

SUMMARY

,lan-04-2005 14:39

Examiner Choi's objection and § 103(a) rejections of claims 13-31 have been obviated by the amendment herein of claims 13, 14, 17-21, 26, 27, 30 and 31 and cancellation herein of claims 15, 16 and 22. The Applicant respectfully submits that claims 13, 14, 17-21, and 23-31 fully satisfy the requirements of 35 U.S.C. §§ 102, 103 and 112. In view of the foregoing, favorable consideration and early passage to issue of the present application is respectfully requested. If any points remain in issue that may best be resolved through a personal or telephonic interview, Examiner Choi is respectfully requested to contact the undersigned at the telephone number listed below.

Dated: June 16, 2003

Respectfully submitted, Norbert Dicken, et al.

U.S. PHILIPS 580 White Plains Road Tarrytown, New York 10591 Phone: (914) 333-9669

Fax: (914) 333-9669

CARDINAL LAW GROUP Suite 2000 1603 Orrington Avenue Evanston, Illinois 60201 Phone: (847) 905-7111

Fax: (847) 905-7113

Attorney for Applicants

Registration No. 50,145

Frank Keegan

Frank C. Nicholas Registration No. 33,983 Attorney for Applicants